

MINUTES ADOPTED BY CITY COUNCIL

Greenville, NC
June 5, 2006

The Greenville City Council met in a regular meeting on the above date at 6:00 PM in the City Council Chambers, third floor of City Hall, with Mayor Robert D. Parrott presiding. The meeting was called to order, followed by the invocation by Mayor Pro-Tem Council and the pledge of allegiance to the flag. The following were present.

Mayor Robert D. Parrott
Mayor Pro-Tem Mildred A. Council
Council Member Ray Craft
Council Member Pat Dunn
Council Member Rose H. Glover
Council Member Chip Little
Council Member Larry Spell
Wayne Bowers, City Manager
Wanda T. Elks, City Clerk
David A. Holec, City Attorney

Mayor Parrott announced that this is the first meeting in the new City Hall.

APPROVAL OF AGENDA

Motion was made by Mayor Pro-Tem Council and seconded by Council Member Spell to approve the agenda as presented. Motion carried unanimously.

APPROVAL OF CONSENT AGENDA - APPROVED

Motion was made by Council Member Craft and seconded by Council Member Spell to approve all the items under the consent agenda as listed below. Motion carried unanimously.

- 1) Minutes from the May 8 and May 11, 2006 City Council meetings.
- 2) Encroachment agreement with Bill Clark Homes of Greenville, LLC, to construct Langston Farms Subdivision entrance signs, landscaping, and utilities within the median island in the rights-of-way of South Bend Drive (Contract No. 1508)
- 3) Resolution accepting dedication of rights-of-way and easements for Brook Hollow, Section One; Irish Creek, Section 2, Phases 1A, 1C and 2; Pinecrest at Sawgrass Pointe, Phases 1 and 2; Paramore Farms, Phase 1 Cluster; and Wall Street (Resolution No. 06-18)
- 4) Partial refund of preliminary plat fee for Emerald Park Subdivision
- 5) Police services contract with the Housing Authority of the City of Greenville (Contract No. 1509)

- 6) Resolution accepting and endorsing Pitt County's 2006 Ten-Year Comprehensive Solid Waste Management Plan (Resolution No. 06-19)
- 7) Municipal Agreement with the North Carolina Department of Transportation for the construction of roadway improvements along Fire Tower Road from Memorial Drive to Corey Road (Contract No. 1510; Resolution No. 06-20)

Council Member Dunn stated that on the resolution endorsing Pitt County's 2006 Ten-Year Comprehensive Solid Waste Management Plan, all the solid waste is being buried in another county. One of the goals of Council is to increase recycling. The City needs to work on that.

Upon being asked when work on Fire Tower Road would begin, Mr. Tom Tysinger, Director of Public Works, stated that he was told last week that it would be started this fall. There is some word that because of the Department of Transportation financial situation, the City may be looking at a delay, which would put the beginning date the first of 2007. That hasn't been confirmed.

PUBLIC HEARING ON PROPOSED FY 2006-07 CITY OF GREENVILLE, SHEPPARD MEMORIAL LIBRARY, GREENVILLE UTILITIES COMMISSION, AND PITT-GREENVILLE CONVENTION AND VISITORS AUTHORITY BUDGETS AND 2007-08 FINANCIAL PLANS

City Manager Bowers stated this is the required public hearing for the FY 2006-07 City of Greenville, Sheppard Memorial Library, Greenville Utilities Commission and Pitt-Greenville Convention and Visitors Authority budgets and the FY 2007-08 Financial Plan. The Council will be considering the budget ordinance on June 8. The staff has prepared a two-year budget, which includes a one-year budget and a one-year financial plan. The actual FY 2006-07 budget will be considered for adoption and the FY 2007-08 financial plan will be considered for approval. There was a slight error in this morning's paper regarding the solid waste fee. The increase in solid waste is in the plan for FY 2007-08, not the FY 2006-07 budget that will be adopted by ordinance. The budget prepared for the public hearing tonight involves all funds of the City of Greenville, Sheppard Memorial Library, Greenville Utilities Commission, and the Pitt-Greenville Convention and Visitors Authority.

Ms. Bernita Demery, Director of Financial Services, stated that the two-year budget process was begun to incorporate a longer-term view of the budget. It requires problem-solving and anticipatory management and improves the quality of revenue forecasting. Two-year budgets also make better use of staff and City Council time. The 2007-08 financial plan for the General and Powell Bill Fund includes revenues and expenditures of \$67,844,137, a 5.1% increase over the proposed FY 2006-07 amount of \$64,563,913, which is a 5.4% increase over the original FY 2005-06 budget of \$61,281,745. The changes in the proposed budget that have taken place since the budget was originally presented to City Council on May 22 include added funding that was recommended by Council in the amount of \$23,232 for FY 2006-07 and \$24,393 for FY 2007-08 for a Communications Technician, \$25,000 for FY 2006-07 and \$25,000 for FY 2007-08 for Inspections, and an additional \$10,000 for FY 2006-07 and \$10,000 in FY 2007-08 for legal services for code enforcement. The City received notice from the County that it will be able to apply and receive funds for Fire/Rescue for hurricane season, so the FY 2006-07 budget includes

donations in the amount of \$68,688, which puts the City in line with Pitt County. Those funds would be reimbursed to the City of Greenville. Also included is the carryover from FY 2005-06 to FY 2006-07, providing \$190,000 for appropriated fund balance. An addition to the FY 2006-07 budget also includes a reduction in contingency of \$50,000 (River Park North Remediation). Revenues for FY 2006-07 and 2007-08 are projected to come from the following sources: property tax (38%), sales tax (22%), utilities franchise (6%), Greenville Utilities Commission transfers (8%), refuse fees (6%), and all other revenue (20%--Capital lease, investment earnings, Powell Bill, rescue fees, motor vehicle, and appropriated Fund Balance). Projected expenditures for FY 2006-07 are Personnel (65%), Operating (19%), Transfer (10%), and Capital (6%). Projections for FY 2007-08 are as follows: Personnel (66%), Operating (19%), Transfer (10%), and Capital (5%). In the proposed FY 2006-07 budget, expenditures by department are projected to be Recreation and Parks (8%); Public Works (19%); Community Development (3%); Capital Improvement Program (General Fund—4%); Powell Bill (4%); Mayor and City Council, City Manager's Office, City Clerk's Office and City Attorney's Office (4%); Human Resources (3%), Information Technology (6%); Fire Rescue (18%); Financial Services (3%); and Police (28%). In the proposed FY 2007-08 financial plan, expenditures by department are projected to be Recreation and Parks (8%); Public Works (18%); Community Development (3%); Capital Improvement Program (General Fund—3%); Powell Bill (5%); Mayor and City Council, City Manager's Office, City Clerk's Office and City Attorney's Office (3%); Human Resources (3%), Information Technology (6%); Fire Rescue (18%); Financial Services (3%); and Police (30%).

Ms. Demery continued by stating that the expense highlights of the proposed FY 2006-07 budget include continuation of the Airport Economic Stimulus Plan (\$80,800), appropriation for 2009 NCLM Convention (\$25,000), continuation of the Home Ownership Program (\$30,000), funding for salary compression (\$100,000), and Cable TV Public Access (\$33,000). There is a base contingency of \$100,000 in FY 2006-07 and \$200,000 in FY 2007-08. On May 22, the Council allocated \$50,000 for building inspections and \$70,000 for code enforcement. Recommended new positions in the proposed FY 2006-07 budget include a Communications Technician, Program Assistant for Elm Street, and a Program Assistant for Eppes Gym. Included in the proposed FY 2007-08 financial plan is the addition of an MWBE Coordinator, Financial Analyst and two Transit Drivers. Funds are being requested for Sheppard Memorial Library in the amount of \$953,735 for FY 2006-07. A portion of those funds are for increased operating hours for Carver and East Branch Libraries.

Ms. Demery reported that the proposed FY 2007-08 budget for the Convention and Visitors Authority is \$765,326, a 4.5% increase over the FY 2006-07 budget of \$732,409, which is a 1.5% increase over the FY 2005-06 original budget. The proposed FY 2007-08 budget for Greenville Utilities Commission is \$235,734,011, a 2.1% increase over the proposed FY 2006-07 original budget of \$230,803,582, which is a 13.9% increase over the FY 2005-06 original budget.

Ms. Demery concluded by stating that this is the first two-year budget the City has had. There is no property tax increase, and the total budget increase is 5.3%. There is a new vehicle replacement fund, and the new proposed budget implements the City Council goals and objectives.

Mayor Parrott declared the public hearing open and solicited comments from the audience.

Mr. Frank Schenck thanked the Council for approving a resolution on giving equipment to the Public Access Channel.

Mr. Bill Awl, applauded the City Council for funding the Parks and Recreation Department, which is the finest in North Carolina. He applauded the City Council and encouraged them to keep the area for a park on Tenth Street so the star gazers could continue to enjoy it.

Mr. Jake Postman, Vice Chairman of the Citizens Advisory Commission on Cable Television, stated that the Commission applauds and endorses the City's proposal for funding for a full-time person to do programming. They also support funding for the Public Access Channel. It is time to give cash in addition to equipment. He thanked the Council for thinking about communications.

There being no further comments, Mayor Parrott declared the Public Hearing closed.

PRESENTATION BY BOARDS AND COMMISSIONS

Housing Authority

No one was present from the Housing Authority to give a presentation.

PRESENTATION OF THE CENTER CITY/WEST GREENVILLE STREETScape MASTER PLAN

Mr. Carl Rees, Urban Planner, stated that streetscaping can mean a lot to a community. An example is Evans Street, which was a pedestrian mall. Uptown Greenville and others began fundraising and asked for City funds. The pedestrian mall was removed and commemorative plaques and nice lighting were installed. Ten years later, it is a thriving corridor, and most of the businesses there are thriving. Streetscaping is a chance to beautify and address safety issues. It is also an economic development tool for the City. Good communities create leverage in their downtowns. He introduced Mr. Pat Hart of the Urban Resource Group to give a presentation of the Center City/West Greenville Streetscape Master Plan.

Mr. Pat Hart stated that the Center City/West Greenville Streetscape Master Plan (Document No. 06-6) will look at all streets in the downtown and West Greenville. Over the last six months, they have completed public input, which has involved the holding of two public open houses and eight small group focus meetings with residents and business owners on Martin Luther King, Jr. Drive and uptown. They are in the process of finalizing the coordination with the utility providers, the staff input phase, the Civic Art Program and the Master Plan. The vision of citizens was provided for Evans Street (Avenue of the Arts), Martin Luther King, Jr. Drive (Historic Neighborhood), East Fifth Street (Historic Neighborhood), Tobacco Warehouse District: Dickinson Avenue (Arts and Entertainment), Uptown Business District: Evans Street (Avenue of the Arts), Uptown Business District: Martin Luther King, Jr./Fifth Street and Cotanche Street (Classic Downtown). Streetscape elements suggested at the meetings include

having benches, trash receptacles, newspaper racks, game tables, planters, brick paving, tree grates, tree planter borders, bus shelters, urban fencing, bike racks, and crosswalk pavement. No street trees will be in the right-of-way of Martin Luther King, Jr. Drive. The citizens providing input stated that they don't want the right-of-way widened. They looked at alternative ways of streetscaping along right-of-way. To address transit, they proposed new locations for bus shelters and putting shelters at all bus stops throughout the corridor. A new gateway at Memorial Drive to West Greenville neighborhoods was proposed. Another perspective is for the column to go at entrances to historical neighborhoods. Markers, such as for Professor Eppes, would be installed. They looked at the realignment of Albemarle and Martin Luther King, Jr. Drive and the opportunity for new in-fill development and commercial development to go to, in addition to a farmer's market. Another thing is a wayfinding process, starting at the City level. As people enter the City, the map will show the locations for making key decisions to direct people to the center city. As one moves into the uptown area, there will be a wayfinding system that becomes more specific. Different types of signage will be color coded for different districts, finding different highways, etc. There is a kiosk that would be located at key locations to provide an opportunity for citizens to advertise. There would be a community bulletin board.

Council Member Spell thanked the group for looking at the historical aspect of the redevelopment. He encouraged the group to include more history throughout the rest of the streetscape plan into the uptown area. Emphasis on public art in the area is good. He suggested putting up a statue of Nathanael Greene, the namesake of the City.

Council Member Dunn questioned whether a citizen's market had been explored that would capitalize on the history and provide utilization of the tobacco warehouses. There needs to be a citizens' place to have a flea market or farmer's market.

Mr. Rees responded that each district they have looked at has the opportunity for those. The group looked at having a market place in west Greenville at the intersection of Albemarle Avenue and Martin Luther King, Jr. Drive. The other potential site is the tobacco warehouse district. They did not look at an indoor market.

Mayor Pro-Tem Council questioned whether cameras have been considered for the uptown area, as they have made citizens feel safer in other downtown areas.

Mr. Rees responded that was not considered, at which time the Mayor stated that the Chief of Police, William Anderson, would be looking at that.

PRESENTATION OF RESULTS FROM THE GREENVILLE BOULEVARD/MEMORIAL DRIVE CORRIDOR STUDY BY STANTEE CONSULTING SERVICES, INC.

Mr. Steve Yetman, Traffic Engineer, stated that in June 2005, City Council, on behalf of the Greenville Urban Area Metropolitan Planning Organization, awarded a contract to Stantec Consulting Services to conduct a congestion management study of Greenville Boulevard from East Tenth Street to Mall Drive and on Memorial Drive from Country Club Drive to NC 903/Main Street in Winterville. The purpose of this study was to evaluate the Greenville Boulevard/Memorial Drive corridor and to develop a comprehensive plan for reducing

congestion and improving safety over the next 25 years. The study is now complete, and Mr. Paul Cooke is present to provide the results.

Mr. Paul Cooke stated that the purpose of the Memorial Drive/Greenville Boulevard Corridor Study (Document No. 06-5) was to focus on the study area, to identify current and future problems, to develop short-term and long-term improvements, to consider feasibility and to provide a framework for implementation. Greenville currently has 27 signalized intersections, and the main problem currently is congestion. There is a need to develop short-term and long-term improvements, short-term being 2010 and long-term being 2030. In order to do so, they consider the following:

- Feasibility, which is the cost, impact on environment, etc. This provides a framework to implement recommendations.
- Level of service. These are described as A to F, with A being the best. AB is good, and Greenville Boulevard/ Memorial Drive is that possibly at 4:00 a.m. CD is reasonable traffic, where one has to stop at lights, but not much. The person is not becoming stressed out. The lights are not unpredictable. EF is where the conditions are deteriorating, the lights do not stay green long, and people start taking risks. Cities need to avoid EF. The study laid out two primary goals—to have C at all intersections by 2010 and B by 2030. The City will not be able to achieve that at every intersection, because of the improvements needed.
- Accident history along the corridor. A three-year accident history is looked at.
- Frequency of accidents by location and the type of accident. They look at whether there is a pattern or a certain problem that can be fixed.
- Cost.

Mr. Cooke stated that one of the main factors in the decision making is prioritizing what needs to be done first and what needs to be improved. He looked at two design years--2010 and 2030. The Southwest Bypass is considered for 2030, which will provide traffic relief. All of that is factored into traffic projections and where they project the patterns will lead to developments for improvement, with a phased-in approach. In the order of improvements, they start by looking at the timing and phasing of signals, which doesn't cost as much as infrastructure. Geometric improvements are such things as right and left turn lanes. For 2030, they are looking at geometric improvements. The only way to get acceptable levels of service is to add through lane at every intersection. That assumption was used for all in 2030.

Mr. Cooke stated that the most challenging intersection is Greenville Boulevard and Memorial Drive. If the traffic projections hold in this area, 15 lanes will be needed approaching this intersection. On Greenville Boulevard and Charles Street, additional turn lanes are needed in each direction. The 2030 improvement shows an additional through lane on Greenville Boulevard. Greenville Boulevard and Tenth Street are about the same.

Mr. Cooke concluded by stating that a plan for implementation has been laid out, and it is prioritized by safety, cost and traffic need. A lot of options from which to choose have been provided. This was done through a steering committee process of the City, Department of Transportation and local staff. The most recent meeting lasted six hours. As far as implementation, signal improvements (timing and phasing), minor geometric improvements

(locally and DOT funded), access management along the corridor (opportunities to consolidate access), and major widenings, some intersections would be major improvements, Greenville Boulevard itself is recommended to be widened. The City will use this report to finalize its priorities and go to the Metropolitan Planning Organization to have things added to the Metropolitan Planning Organization's priority list. This is a comprehensive plan to reduce congestion and improve safety. At the conclusion of the study, they will work with the Department of Transportation to improve safety.

Upon being asked if the computerized traffic signals are fully operations, Mr. Yetman stated that Phase 2 is coming on line, which includes intersections near Winterville. It ends at Firetower Road and doesn't extend out to NC 903. Phase 1 stopped with 14th Street.

UPDATE ON THE GREENVILLE SOUTHWEST BYPASS CORRIDOR STUDY (R-2250) AND CONSIDERATION OF A PREFERRED ALTERNATIVE CORRIDOR

Mr. Tom Tysinger, Director of Public Works, stated that the 2030 information is dependent on the Southwest Bypass being constructed. If not, there will be a much bigger problem on Memorial Drive. The Greenville Southwest Bypass Corridor Study is nearing a critical point in its development. After almost 15 years of work on this project, the Draft Environmental Impact Statement is now under review by the Federal Highway Administration. Tentatively scheduled in July, 2006, the North Carolina Department of Transportation will be conducting citizen workshops and public hearings to gather input on the three remaining corridors currently under consideration. Following the public hearings, the Least Environmentally Damaging Preferred Alternative will be selected, which narrows the focus to one corridor. The Environmental Impact Statement will then be completed on the selected corridor. In preparation for the upcoming public hearings, it is recommended that City Council select one of the three remaining alternatives as the preferred alternative of the City of Greenville. The Pitt County Commissioners took a similar action during their meeting on May 15, 2006.

Mr. Tysinger continued by stating that Memorial Drive currently has 30,000 to 45,000 trips per day, which makes it the heaviest traveled roadway in Greenville. Without the bypass, traffic volumes for 2030 are 45,000 to 85,000, which the road will not be able to take. The road conditions are poor and are getting worse. The Greenville Southwest Bypass project first appeared on the Greenville Thoroughfare Plan in 1972 and has been the Greenville Urban Area Metropolitan Planning Organization's (MPO) number one priority since 1992. From the beginning, this project was envisioned to relieve the ever-growing congestion on Memorial Drive. A feasibility study was completed by NCDOT in 1987, and the project first appeared in the NCDOT 1988-1996 State Transportation Improvement Program (STIP). Planning studies begin in 1992, during which as many as nine different corridors were studied. Currently, there are three alternative alignments being considered.

Alternate 1 (Corridor 4-Ext.). This is the westernmost alignment and is located furthest from NC 11/Memorial Drive. It is 11 miles long and would cost \$179 million to construct. It has the least impact on the environment and would require the least amount of relocating. However, it has the greatest impact on the Renston Rural Historic District, cutting it in half. It is the three miles west

of Memorial Drive, and staff feels it would do little to alleviate the traffic on Memorial Drive because of its distance from Memorial Drive.

Alternate 2 (Corridor 1B-Ext.) This is located between Corridors 4-Ext and 5 Ext. It also has an adverse impact on the Renston Rural Historic District, as it cuts through the eastern portion of the district. This alternative has a higher number of relocatees and more adversely impacts the environment than Corridor 4-Ext. It is 10.7 miles long and would cost \$180 million to construct. It has more impact on the environment, also.

Alternate 3 (Corridor 5-Ext.) This is the easternmost alternative and avoids the Renston Rural Historic District completely. This corridor is nearest to NC 11/Memorial Drive and will likely be utilized more by motorists as a bypass for NC 11/Memorial Drive. City staff considers this the best option for reducing congestion along Memorial Drive and would recommend Corridor 5-Ext. be the preferred alternative. This is the corridor unanimously endorsed by the Pitt County Board of Commissioners as the preferred alternative. It is 10.8 miles long and would cost \$188 million. Its impact on the environment is similar to 1B. It would have far more relocatees than Corridor 1B; however, it would not have as much impact on the historic district. It would best address the growing congestion problem on Memorial Drive. It has the best opportunity for being constructed sooner because of it not impacting the historic district.

Mr. Tysinger concluded by stating that the Greenville Urban Area MPO will soon be considering this same information as they deliberate on a preferred alternative prior to NCDOT's public hearing in July. City Council's preference will be presented to both the Technical Coordinating Committee and the Transportation Advisory Committee during the next meetings. If the City does not identify a clear message, the project will be further delayed and the money will be spent elsewhere.

Upon being asked if having to relocate 90 or more homes would add more time to the project, Mr. Tysinger responded that the Department of Transportation will be doing this project. They do operate and have the authority to use eminent domain. That process has a mechanism that allows projects to move forward once fair market value is determined and made.

City Attorney Holec stated that this would be a eligible project for the quick-take procedure of eminent domain, where the State determines the fair market value, deposits that, and the property is vested in the State. If the owner protests, the only issue is what the fair market value is.

Upon being asked if most relocatees are out of the City, Mr. Tysinger responded that the relocatees extend from south of Ayden to Stantonsburg Road. About 75% of the relocatees live outside the City of Greenville.

Motion was made by Council Member Dunn and seconded by Council Member Craft to select Corridor 5-Ext as the preferred alternative for the Greenville Southwest Bypass, to authorize the Mayor to execute a resolution to the Department of Transportation indicating this preferred alternative, and to direct staff to work on the project. Motion carried unanimously.

UPDATE ON GOVERNOR'S CRIME COMMISSION GRANT AWARD FOR MCCLLOUD'S COMPUTER SKILLS AND TRAINING CENTER, INC.

Mr. Thom Moton, Assistant City Manager, stated that on January 13, 2005, Valerie McCloud asked the City to support a grant application for \$197,000, and it was approved in June. From July 1, 2005 until June 30, 2006, she asked that the City support it for funds and funnel it through the City. At this time, it is not known whether the State will approve it. If it is approved, the grant will be funneled through the City. Staff made a site inspection in May and found that it met all requirements for the City to receive grant funds. Ms. McCloud regrets that she will be unable to be here because of an emergency. Staff recommends that the City Council authorize the City to continue to act as sponsor for 2006-07 fiscal year, if it is approved.

Upon being asked if the account would be audited by the State auditor and if the City is responsible financially if there are misappropriated funds, Mr. Moton replied that any funds the City has to receive have to be audited. The City receives copies of information sent to the State and ensures that the grant complies with all the rules. That is the City's responsibility as the fiscal agent.

Ms. Demery, Director of Financial Services, stated that the City pays the organization based on reimbursements. The City gets its money before it writes a check. They are a single-audit.

Upon being asked the location of McCloud's Computer Skills and Training Center, Inc., Ms. Demery stated that one of the sites is across from the Beef Barn, and the other is on Allen Road.

Mayor Pro-Tem Council stated that she has had the opportunity to visit the site, and they are doing a great job with young people.

Upon being asked if the City has any internal people that look at the disbursements, Ms. Demery replied that the City has a Grants Coordinator that does that, and she does it on a monthly basis. Staff makes sure the documentation is correct and that there is a receipt.

Mayor Parrott stated that any time there are grants the City is responsible for, he would like to see that there are internal procedures in place, and Ms. Demery stated that there are.

Motion was made by Mayor Pro-Tem Council and seconded by Council Member Spell to act as the grant sponsor for Valerie McCloud for continued State funding for July 1, 2006 through June 30, 2007. Motion carried unanimously.

RESOLUTION IN SUPPORT OF MERCURY EMISSIONS REDUCTION - ADOPTED

Mr. David Brown, City Engineer, stated that at the May 11 City Council meeting, Heather Jacobs, the Pamlico-Tar River Keeper with the Pamlico-Tar River Foundation, addressed City Council relative to the impact of mercury emissions on waterways and fish life during the public comment period. During the presentation, it was requested that City Council consider a resolution requesting the State of North Carolina to adopt more stringent mercury reduction rules. During the May 4 Environmental Advisory Commission meeting, the Commission

adopted a resolution supporting stronger rules on regulating mercury emissions and advising City Council to request the State of North Carolina to adopt more stringent reduction rules. City Council concurred with the Pamlico-Tar River Foundation's request and directed staff to prepare a resolution for consideration.

Motion was made by Council Member Dunn and seconded by Council Member Spell to adopt the resolution supporting mercury emissions reduction. Motion carried unanimously. (Resolution No. 06-21)

RESOLUTION EXPRESSING OPPOSITION TO LEGISLATION WHICH ELIMINATES LOCAL FRANCHISING AUTHORITY FOR CABLE/VIDEO PROGRAMMING - ADOPTED

City Attorney Dave Holec reported that on May 17, legislation was introduced in the North Carolina General Assembly that would replace the existing system of local franchising for cable service provided over a cable system and replace it with a system whereby the State, through the North Carolina Utilities Commission, grants the franchises. Additionally, legislation has been introduced in the United States Congress which replaces local franchising authority for video/cable services and gives this authority to the Federal Communications Commission. Local franchising is important for the following reasons:

- To protect an important revenue source. The City receives five percent of the gross revenue, which is \$660,000 annually. This needs to continue.
- The City needs to continue to be able to regulate the use of its rights-of-way.
- There needs to be build-out standards so that all citizens have the opportunity to benefit from the services rather than the company "cherry-picking" the lucrative areas to provide service.
- Customer service standards should be in place and enforced, such as responding to a complaint within a certain timeframe, etc.
- Requirements for the provision of and support for public, educational, and governmental access channels should be provided for and continue.

Although the federal and state legislation addresses these issues to some degree, the legislation does not provide the protection as well as local franchising does. In particular, the build-out standards and the support of public, educational, and governmental access channels issues are areas of particular concern in the currently pending legislation. Contact has been made and discussions have occurred with both federal and state elected officials concerning the need to preserve the City's franchising authority. A resolution approved by City Council would provide additional support for the efforts to preserve this authority. The City's Citizens Advisory Commission on Cable Television, at its May 16, 2006 meeting, adopted a resolution which "advises the City Council to take action by resolution or petition to lobby the state and federal legislatures to protect the City's right to negotiate communications franchise agreements".

Upon being asked why the North Carolina League of Municipalities is not opposing the legislation which removes local franchising authority, City Attorney Holec responded that the League expected the State legislation to replace local franchising authority with State authority to occur this year. Because of this, the League wants to be at the table while discussion is going on with the legislation to insure that any legislation would have measures to address the five key

points important to cities in any legislation which is enacted. The League's position is that local franchising is best but if it is eliminated, then the legislation should adequately address the issue important to cities.

Council Member Spell stated that the key element is protecting local franchising control. The City needs to ensure that cable access is provided to all citizens.

Council Member Glover echoed Council Member Spell and stated that she agrees with the League taking a stand on the legislation; however, its first obligation should be to support local governments, and she believes local franchising should be preserved.

Motion was made by Council Member Spell and seconded by Mayor Pro-Tem Council to adopt the resolution expressing opposition to legislation which eliminates local franchising authority for cable/video programming. Motion carried unanimously. (Resolution No. 06-22)

RESOLUTION SUPPORTING THE DEVELOPMENT AND SUBMISSION OF A YOUTHBUILD GRANT APPLICATION - ADOPTED

Mr. Merrill Flood, Director of Community Development, stated that staff of the Greenville Housing Authority, Pitt Community College, East Carolina University College of Human Ecology, and the City of Greenville Community Development Department has worked to develop a grant application for funding from the U.S. Department of Housing and Urban Development's Youthbuild program. The Youthbuild program is designed to encourage students who have dropped out of high school to obtain their G.E.D. and, in the process, gain skills and experience in various aspects of construction. The Greenville Housing Authority will be the program sponsor and will administer the program. Partnerships with a variety of service agencies in Greenville and Pitt County have developed to provide services that will be needed by the students. These include but are not limited to the Pitt County Department of Social Services, Pitt Community College Adult Education, East Carolina University, the City of Greenville, and others. A detailed selection, outreach, and counseling program have been developed as part of this program. The application request is for \$400,000 and will be used to provide wages, fees, and supplies for program participants as well as program oversight. The grant might serve as many as 40 youth and if successful will be the catalyst for future applications. Rehabilitations and some new construction activities managed by the City of Greenville in the 45-block program area will be used as work sites for the students. In addition, efforts to enroll youth from the 45-block project area and other parts of West Greenville will be a major focus of the program.

Motion was made by Council Member Craft and seconded by Council Member Little to adopt the resolution supporting the development and submission of a Youthbuild grant application. Motion carried unanimously. (Resolution No. 06-23)

RESOLUTION ACKNOWLEDGING THE YOUTH ADVISORY COMMITTEE AND COMMENDING ITS EFFORTS TO ADDRESS ISSUES IMPACTING THE LIVES OF YOUTH - ADOPTED

City Attorney Holec stated that at the April 13 and May 11 City Council meetings, Christopher Taylor spoke regarding a prospective Youth Advisory Committee. After Mr. Taylor's presentation at the May 11 meeting, City Council requested that a resolution be prepared for Council's consideration.

Motion was made by Council Member Glover and seconded by Council Member Spell to adopt the resolution acknowledging the Youth Advisory Committee and commending its efforts to address issues impacting the lives of youth. Motion carried unanimously. (Resolution No. 06-24)

RESOLUTION TO DONATE SURPLUS AUDIO/VISUAL EQUIPMENT TO GREENVILLE PUBLIC ACCESS TELEVISION FOR USE IN OPERATION OF THE CITY'S PUBLIC ACCESS CHANNEL - ADOPTED

City Manager Bowers stated that due to the old age and end of the useful life of the audiovisual equipment located in the Council Chambers of the Municipal Building, new audiovisual equipment was purchased to outfit the Council Chambers in City Hall. As such, most of the equipment in the old Council Chambers will not be necessary and will be declared as surplus. GPAT is the entity assigned to operate the public access channel by the City Council. GPAT is in need of such equipment and promises to use it for the benefit of the public's use of the public access channel. The City has the authority to convey by private sale property to a nonprofit corporation to which the City is authorized to appropriate funds and which is carrying out a public purpose. City Council must approve the conveyance by a resolution. Once approved, a notice is to be published summarizing the contents of the resolution and 10 days later, the conveyance can be consummated.

Motion was made by Council Member Little and seconded by Council Member Spell to adopt the resolution to donate surplus audio/visual equipment to Greenville Public Access Television for use in operation of the City's public access channel. Motion carried unanimously. (Resolution No. 06-25)

RESOLUTION AUTHORIZING DISPOSAL OF THE CITY COUNCIL DAIS LOCATED IN THE MUNICIPAL BULIDING TO THE VILLAGE OF SIMPSON - ADOPTED

City Manager Bowers stated that this a resolution declaring the City Council dais located in the Chambers of the Municipal Building as surplus and conveying it to the Village of Simpson. A new dais is included as part of the Council Chambers construction in the new City Hall. The old dais is not needed and must be identified as surplus before it can be conveyed to the Village of Simpson.

Motion was made by Council Member Dunn and seconded by Council Member Spell to adopt the resolution authorizing disposal of the City Council dais located in the Municipal Building to the Village of Simpson. Motion carried unanimously. (Resolution No. 06-26)

REVIEW OF JUNE 8, 2006 CITY COUNCIL AGENDA

Council Member Glover stated that a request was received from Ms. Foust of the West Greenville Regional Resources, Inc. requesting to address the Council. She made a motion that this be placed on the June 8, 2006 City Council agenda. Motion was seconded by Mayor Pro-Tem Council and carried unanimously.

Council Member Little stated that Council received an updated proposal on what she plans to do. He asked how it is any different from what they discussed one and a half hours at the last meeting. He asked if there is any additional information.

Council Member Glover stated that before, there was nothing before Council. Ms. Foust compiled information so that Council would have time to look at it.

Council Member Craft stated that he is opposed to placing it on the agenda. The Council does not need to be in the business of funding nonprofit organization. This request is no different than it was at the last meeting.

Council Member Glover stated that the Council needs to read articles about how cities across the nation are working with nonprofits in communities, specifically regarding children. If the City Council cannot help create good sound citizens, there will not be a good workforce.

Council Member Spell stated that the City could help in some manner other than helping fund nonprofits. Funding could get very political. The City doesn't need to start that. Maybe the Council can do something to promote fundraising. The Council shouldn't make those decisions for taxpayers of the City.

Council Member Dunn stated that the question is whether the City would like to have the person present information. The Council spent about one and a half hours discussing that last month. A number of positive suggestions were made to be helpful in support of that. She stated that she applauds their efforts; however, she doesn't feel it should be placed on the agenda so that this can be interpreted as support. Even though the Council received a lot of information, she doesn't have a problem with limiting her time to get new information.

Motion was made by Council Member Craft and seconded by Council Member Little to call the question. Motion carried unanimously.

The motion made by Council Member Glover and seconded by Council Member Council was voted on and carried with a 4:3 vote. Mayor Pro-Tem Council and Council Members Glover and Dunn voted in favor of the motion. Council Members Craft, Little and Spell voted in opposition. Mayor Parrott broke the tie in favor of placing this item on the June 8 agenda.

The Council did a cursory review of the items on the June 8, 2006 City Council Meeting agenda and reviewed the appointments to Boards and Commissions.

COMMENTS FROM MAYOR AND CITY COUNCIL

The Mayor and City Council gave comments.

CITY MANAGER'S REPORT

City Manager Bowers thanked the Council for attending the swearing in ceremony of Police Chief William Anderson. He thanked the Council, on behalf of City employees, for making this new City Hall available and for making it work (funding, etc.).

ADJOURN

Motion was made by Council Member Craft and seconded by Council Member Little to adjourn the meeting at 8:45 p.m. Motion carried unanimously.

Respectfully submitted,

Wanda T. Elks, MMC
City Clerk